

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES MULLER,	: 08 CIV. 02550 (DC)
	:
Plaintiff,	: <u>AMENDED COMPLAINT</u>
	:
-against-	:
	:
TWENTIETH CENTURY FOX FILM	: PLAINTIFF DEMANDS
CORPORATION, PAUL W.S.	: <u>TRIAL BY JURY</u>
ANDERSON and DAVIS	:
ENTERTAINMENT, INC.,	:
	:
Defendants.	:
	:
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Plaintiff, James Muller, by his attorneys, The Nolan Law Firm, for his Amended Complaint against Defendants, Twentieth Century Fox Film Corporation, Paul W.S. Anderson and Davis Entertainment, Inc., alleges as follows.

**THE PARTIES**

**Plaintiff**

1. Plaintiff, James Muller, wrote an original screenplay "The Lost Continent" ("TLC").
2. On August 6, 1996, Plaintiff registered TLC with the Writers' Guild of America East. A copy of said registration is attached as Exhibit 1.
3. On September 13, 2007, Plaintiff received a copyright for TLC from the United States Copyright Office under registration number PAu3-336-757. A copy of said registration is attached as Exhibit 2.

**Defendants**

4. Defendant Twentieth Century Fox Film Corporation ("Fox") a foreign corporation, licensed to do business in the State of New York, co-produced Alien vs. Predator ("AVP"), a feature length movie, which was shown for public admission in theaters in New York, New York.

5. Defendant Paul W.S. Anderson ("Anderson") allegedly wrote the screenplay for and directed AVP.

6. Defendant Davis Entertainment Company, Inc. ("Davis"), upon information and belief, a foreign corporation, not licensed to do business in the State of New York, co-produced AVP.

**THE NATURE OF THE ACTION**

7. This is an action for copyright infringement and breach of implied contract arising out of Defendants' deliberate, wilful, and unauthorized copying, publication, dissemination, distribution, exploitation and use of Plaintiff's TLC screenplay and Plaintiff's ideas in Defendants' movie AVP. Copies of the TLC and AVP screenplays are attached for comparison including Plaintiff's cross-reference notations on the screenplays as Exhibits 3 and 4.

**JURISDICTION AND VENUE**

8. This action arises under the Copyright Act of 1976 ("Copyright Act"), 17 U.S.C. §§ 101 et seq.

9. This Court has original jurisdiction pursuant to 28

U.S.C. §§1331 and 1338(a).

10. Venue is proper pursuant to 28 U.S.C. §§1400(a), 1391(b) and (c). A substantial part of the events giving rise to Plaintiff's claim occurred in this District.

### **INTRODUCTION**

11. Alien and Predator were successful movies. Faced with the acknowledged challenge and opportunity to combine the Alien and Predator franchises, TLC provided Defendant Anderson a unique creative expression, fresh scientific research and a completed screenplay to serve as the template to combine the franchises into AVP. TLC had the vicious Baphomet creatures, which were very similar to and acted in the same fashion as the Alien creatures. All that remained for Defendant Anderson to do was to insert the Predator into TLC's screenplay, which Anderson did by replacing TLC's Roessler character, which character served as TLC's female protagonist, Graham's, fighting comrade and final ally and to mirror synonyms and usage. In fact, as demonstrated in the Access Section *infra*, Plaintiff's 1996 query letters marketed TLC to the movie industry with the catch phrase "in the vein of *Aliens* or *Congo*".

12. Defendant Paul W.S. Anderson is quoted in an August 9, 2004 Dark Horizons article, which is attached as Exhibit 5, that he "had the idea for the movie literally nine years ago". However, the earliest known Anderson AVP screenplay is from 2002.



The Dark Horizons' article also makes the point that as opposed to Alien, which was set in space, AVP like TLC was set on earth.

13. Similarly, a June 2004 Cinescape article, "Alien vs. Predator", which is attached as Exhibit 6, made the same space / earth distinction; highlighted AVP's use of a "pyramid buried deep within the ice", as occurred in TLC, and the fact that in AVP, just like TLC, the creatures don't appear until later in the story.<sup>1</sup> This last item was recognized by Mr. John Davis, an AVP producer, in an interview included in the "Pre-Production" section of disc 2 of the 2004 DVD "AVP - Uncut Version" where Mr. Davis is seen and heard stating:

Paul Anderson walked into my office and pitched me a story that he really wanted to do for 8 years and he started to pitch me this story, and it was one of those stories, like Jaws, that just drew you in, and drew you in. You didn't see the Predator, you didn't see the Alien. The movie started out to be an adventure about something else.

As demonstrated *infra*, after reading the TLC screenplay, all that remained for Defendant Anderson to do was to exchange synonyms or usage and to insert TCF's Predator into the TLC screenplay.

#### **SYNOPSIS**

14. TLC and AVP begin with a long ago event that occurs on Earth, not in space, like Alien but in Antarctica, then both screenplays shift to present day with satellites discovering a man made structure beneath the ice of Antarctica. A technician

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<sup>1</sup>The creatures in TLC are called Baphomets and in AVP, the creatures are called Aliens and Predators.

evaluates the data, alerts a superior and the discovery sets off a rush to investigate the man made structure. A female protagonist is recruited against her wishes to join a team of armed men and specialists, who then are taken by ship to Antarctica. Upon their arrival in Antarctica, the team utilizes special equipment to get through the ice and venture through a hazardous inclined tunnel. During the trip through the tunnel, a near fatal accident occurs but everyone survives. The team emerges into the ruins of a civilization with a pyramid structure at its center. Upon the team's arrival, the remnants of an Atlantean civilization are explored, hieroglyphics deciphered and an artifact discovered.

15. The team disturbs an artifact while vicious creatures are attacking and killing the team members. Since the discovery poses an immanent threat to humanity because life forms are being released from frozen stasis, the goal of the protagonist and her team is to survive the violent attacks and to escape with the hope of destroying the location and containing the threat. The protagonist and a remaining ally escape through a portal and a tunnel just prior to a timed atomic explosion, which destroys the setting and saves humanity.

16. As demonstrated *infra*, the cosmetic changes to the TLC screenplay are apparent through the following character and equipment cross references, as well as, through the outline of



the settings, characters, story and phraseology *infra*. Also, Defendants did not register an AVP screen play until 2002 or 6 years after Plaintiff's initial registration and did not register the final screenplay until 2004.

**Defendants' Access to TLC**

17. Plaintiff began to research and to write TLC in the spring of 1995 and registered the work with the Writers' Guild of America, East, in August 1996 (Exhibit 1). Then, Plaintiff hired "script doctors" to polish TLC and immediately marketed TLC and Plaintiff's ideas to the movie industry with the catch phrase in his query letters, such as "If you like *Aliens*, *Stargate* or *Congo*, then call now for a copy" with the expectation or extra added element that if Plaintiff's ideas or TLC were used by anyone, that Plaintiff would receive payment and credit. Copies of Plaintiff's query letters are attached as Exhibit 7.

18. The movie industry solicits ideas for films and screenplays from authors directly and indirectly through independent agencies, which review and distribute ideas and screenplays to interested movie industry participants, such as Defendants, who register with these agencies and receive and or download screen plays of interest. Implicit in these arrangements is that if the ideas or screenplays are utilized, the author will be acknowledged and compensated. Otherwise, the arrangement wouldn't exist.

### **The Insiders System for Writers**

19. The Insiders System for Writers was one of Plaintiff's script doctors and a quarterly publication that described and reviewed new ideas and screenplays. Film companies subscribed to The Insiders System for Writers and would request that the ideas and screenplays, which had been reviewed, be sent to them for possible use.

20. Upon information and belief, Davis Entertainment<sup>2</sup>, Morgan Creek, Warner Brothers and The Wolper Organization<sup>3</sup> were subscribers and requested and received Plaintiff's ideas and TLC.

21. TLC was optioned in 1997 by The Wolper Organization and Warner Brothers Television.

### **The Film Writer's Literary Agency**

22. Plaintiff hired the Film Writer's Literary Agency as his agent to market his ideas and TLC to film makers.

23. Upon information and belief, in 1998, the Film Writer's Literary Agency sent TLC to Ballpark Productions / Interscope; Castle Rock Entertainment; David Foster Productions; Fox 2000; Kopelson Entertainment; M.G.M.; Millbrook Farm Productions;

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<sup>2</sup>Upon information and belief, Defendant Davis produced, at least, 3 movies with Defendant Anderson, "Resident Evil", "Resident Evil: Apocalypse" and AVP.

<sup>3</sup>Upon information and belief, Morgan Creek and Warner Brothers Television produced Defendant Anderson's "Soldier".



Ministry of Film; Radiant Productions; Remote Control /  
Dreamworks and Watermark.

**Plaintiff's Marketing Efforts**

24. When The Wolper Organization's and Warner Brothers Television's option expired, Plaintiff sent almost 1,200 query letters to the movie industry. This effort resulted in Plaintiff's ideas and TLC being requested and received by the following movie industry companies including but not limited to Davis Entertainment, Dogsmile Pictures, Ellechante Literary Agency, Estephan Talent Agency, Filmwriters Literary Agency, the Gatsby Group, the Goatsingers, Jay Mahler Entertainment, Morgan Creek, the Pritcher Foreman Company, the Quillco Agency, the Wax Agency, the Writers' Store and Zide Entertainment.

**StoryBay.com.**

25. TLC and Plaintiff's ideas therein were available to the film industry to be downloaded from StoryBay.com.

**Defendants' Access to TLC Conclusion**

26. In conclusion, Defendants had access to TLC and Plaintiff's ideas, at least, through Anderson's production partners, Morgan Creek and Warner Bros. Also, The Wolper Organization, a Warner Brothers production entity, previously optioned TLC. In addition, Fox 2000 and Davis Entertainment received copies of TLC and Plaintiff's ideas therein. Furthermore, no less than 23 other film companies received TLC



and Plaintiff's ideas therein in the time frame and Plaintiff individually or through Plaintiff's agents provided TLC marketing material, which likened TLC to Aliens, to almost 1,200 entities.

### **382 TLC / AVP Parallels**

27. The necessary combination of elements and their novel twists necessary for a finding of infringement between the works is demonstrated by the following 382 cosmetic changes to TLC's characters, dialogue, equipment, settings and phraseology.

### **Character Cross References**

28. As demonstrated *infra*, TLC's characters have their mirror images in AVP's characters. The composition, size, function, descriptions and actions of the groups are virtually the same.

#### **AVP**

1. satellite supervisor
2. satellite technician
3. Weyland Industries - entity
4. Charles Weyland - leader
5. Stafford - Weyland's
6. enforcer
7. Woods - female protagonist
8. Aliens - antagonists
9. Predator - protagonist's ally
10. Alien Queen - antagonist
11. Sebastian - glyph specialist
12. Thomas - glyph specialist
13. Mercenaries - cannon fodder
14. Miller - armed mercenary
15. Verheiden - armed mercenary
16. Conner - armed mercenary
17. Rosseau - armed mercenary
18. Quinn - armed mercenary
19. Klause - armed mercenary

#### **TLC**

- satellite supervisor
- satellite analyst
- US Government - entity
- Thomas McCardle - leader
- Dillon - McCardle's
- enforcer
- Graham - female protagonist
- Baphomets - antagonists
- Roessler protagonist's ally
- Atlantean King-antagonist
- Volker - glyph specialist
- Graham - glyph specialist
- Soldiers - cannon fodder
- Nugent - armed soldier
- Harper - armed soldier
- Conrad - armed soldier
- Pitman - armed soldier
- Motley - armed soldier
- Roessler - armed soldier

20. Stone - armed mercenary -

**Same Characters - Same Actions - Timing - Description**

29. As noted above, almost all of TLC's characters have a mirror image AVP character and each TLC character's actions matches their counterpart AVP character's actions.

30. The following demonstrates the mirror pattern of activity with corresponding page references.

<b><u>AVP - Weyland Industries (entity)</u></b>	<b><u>TLC - US Government (entity)</u></b>
21. superimposed introduction 3	superimposed introduction 6
22. satellite reconnaissance 3	satellite reconnaissance 6
23. surprised tech makes discovery 3-4	surprised tech makes discovery 6-7
24. tech uses 3-D computer model 13-14	tech uses 3-D computer model 6, 25
25. the computer model rotates 13-14 in film, not screenplay	the computer model rotates 6, 25
26. man made structures under ice 3-4	man made structures under ice 6
27. funds Antarctica mission	funds Antarctica mission
<b><u>AVP - Weyland (leader)</u></b>	<b><u>TLC - McCardle (leader)</u></b>
28. Weyland introduced 13	McCardle introduced 15
29. uses enforcer (Stafford) to fetch protagonist 6	uses enforcer (Dillon) to fetch protagonist 15
30. uses funding to entice protagonist 5	uses funding to entice protagonist 21
31. agrees with experts that structures seem man made 14-15	agrees with experts that structures seem man made 25-26
32. addresses importance of team being the best 16, 19	addresses importance of team being the best 30
33. meets protagonist 13	meets protagonist 25
34. briefs the situation 13-16	briefs the situation 25
35. declares reason for hurrying to the scene 17	declares reason for hurrying to scene 26
36. dispatches expedition 13	dispatches expedition 26
37. provides the equipment and resources	provides the equipment and resources



**AVP-Stafford (Weyland's enforcer)**

- 38. introduced 6
- 39. tries to recruit protagonist 6
- 40. rejected by protagonist 17
- 41. with Weyland uses funds to entice protagonist to join 5
- 42. boards ship to Antarctica 11
- 43. attends shipboard briefing 13-17
- 44. embarks on mission 22
- 45. prepares to enter pyramid 36
- 46. secures area with men 46
- 47. Stafford's men begin to die 61
- 48. Stafford dies violently 68

**AVP Lex Woods Protagonist**

- 49. introduced 4
- 50. meets Stafford (enforcer) 5
- 51. disinclined to participate 4-19
- 52. says "Find another guide!" 17
- 53. gets financial pressure 5
- 54. gets peer pressure 20-21
- 55. reluctantly agrees to go 21
- 56. brought to briefing 9
- 57. meets Weyland (leader) 13
- 58. takes ship to Antarctica 11
- 59. briefed with team regarding strategy 14-17
- 60. goes through tunnel 28
- 61. meets an accident in tunnel 37
- 62. arrives at discovery 37-38
- 63. studies first set of glyphs / pictograms 39
- 64. ceiling debris almost hits her colleague 45
- 65. studies 2<sup>nd</sup> set of glyphs 41
- 66. studies 3<sup>rd</sup> set of glyphs 51-52
- 67. studies 4<sup>th</sup> set of glyphs 76
- 68. escape attempt blocked 67

**TLC-Dillon (McCardles enforcer)**

- introduced 8
- tries to recruit protagonist 17-22
- rejected by protagonist 21
- with McCardle uses funds to entice protagonist to join 21
- boards ship to Antarctica 32
- attends shipboard briefing 33
- embarks on mission 36
- prepares to enter pyramid 42
- secures area with men 41
- Dillon's men begin to die 59
- Dillon dies violently 85

**TLC Katherine Graham Protagonist**

- introduced 4
- meets Dillon (enforcer) 17
- disinclined to participate 17-21
- says "Get lost!" 21
- gets financial pressure 21
- gets peer pressure 20-21
- reluctantly agrees to go 22
- brought to briefing 24-27
- meets McCardle (leader) 25
- takes ship to Antarctica 32
- briefed with team regarding strategy 32-35
- goes through tunnel 28
- meets an accident in tunnel 34
- arrives at discovery 37
- studies first set of glyphs / pictograms 44
- ceiling debris almost hits her colleague 43
- studies 2<sup>nd</sup> set of glyphs 46
- studies 3<sup>rd</sup> set of glyphs 64-66
- studies 4<sup>th</sup> set of glyphs 70
- escape attempt blocked 67



- 69. escapes with ally 86
- 70. pursued by creatures 91
- 71. bomb set to destroy  
setting 90
- 72. scrambles to escape blast 90
- 73. escape blocked by creatures  
91
- 74. kills creature 92  
more creatures chase her 94
- 75. escapes through tunnel 93
- 76. blast follows her through  
tunnel 94
- 77. escapes 93
- 78. setting destroyed by A-bomb  
94

**AVP - Predator (protagonist's  
main ally)**

- 79. attacked with protagonist 86
- 80. pursued with protagonist  
by creatures 91
- 81. fights alongside of  
protagonist, who kills  
creature 94
- 82. bomb set / countdown 90
- 83. flees main setting 94
- 84. scrambles to escape blast 92
- 85. escape blocked by creatures  
90
- 86. fights alongside protagonist  
92
- 87. resumes escape before blast  
94
- 88. might be engulfed in blast 96
- 89. escapes through tunnel 95

**AVP - De Rosa / Thomas  
(Glyph Specialists)**

- 90. solving riddles at pyramids  
6-8
- 91. implication is that pyramids  
are from Atlantis 15, 76
- 92. "at least 10,000 years old"  
41

- escapes with ally 103
- pursued by creatures 91
- bomb set to destroy  
setting 100
- scrambles to escape blast 101
- escape blocked by creatures 92
- kills creature 91  
more creatures chase her 92
- escapes through portal 104
- blast threatens to follow her  
through portal 104
- escapes 104
- setting destroyed by A-bomb  
104

**Roessler (protagonist's main  
ally)**

- attached with protagonist 86
- pursued with protagonist  
by creatures 91
- fights alongside of  
protagonist, who kills  
creature 91
- bomb set / countdown 100
- flees main setting 103
- scrambles to escape blast 101
- escape blocked by creatures  
92
- fights alongside protagonist  
91
- resumes escape before blast  
100
- might be engulfed in blast 104
- escapes through tunnel 104

**TLC - Volker / Graham  
(Glyph Specialists)**

- solving riddles at pyramids  
4-5
- implication is that pyramids  
are from Atlantis 11-14
- "at least 12,000 years old"  
45, 96



- |  |  |
|--|--|
| 93. discussion re: discovery<br>rewriting history 38 | discussion re: discovery<br>rewriting history 40 |
| 94. first hieroglyphics dialogue<br>39               | first hieroglyphics dialogue<br>44               |
| 95. second hieroglyphics dialogue<br>41              | second hieroglyphics dialogue<br>46              |
| 96. third hieroglyphics dialogue<br>51-52            | third hieroglyphics dialogue<br>64-66            |
| 97. fourth hieroglyphics dialogue<br>76              | fourth hieroglyphics dialogue<br>70              |
| 98. Sebastian dies 89                                | Volker dies 116                                  |

**AVP - Aliens - Predators**

- 99. statues 60
- 100. glyphs "predator warriors" 60
- 101. creature's first attack 47
- 102. statues come to life 61
- 103. creatures stalk from above 61
- 104. creatures kill from above 61
- 105. quietly ambush soldier 61
- 106. creatures show subordination  
to Queen 87
- 107. attack on Queen's behalf 89
- 108. chase protagonist and ally 91
- 109. final attempt to kill  
protagonist 91
- 110. creatures killed by  
protagonist 92
- 111. creatures share same  
description
- 112. the same violence throughout

**AVP - Alien Queen**

- 113. the ice that holds the Queen  
begins to crack 40
- 114. Queen hatches from frozen  
stasis 89
- 115. creatures show subordination  
to Queen 87
- 116. Queen sics creatures on team  
89
- 117. Queen is slain 99

**TLC - Baphomets**

- statues 46
- glyphs "guardian warriors" 46
- creature's first attack 54
- statues come to life 41
- creatures stalk from above 59
- creatures kill from above 59
- quietly ambush soldier 53-54
- creatures show subordination  
to King 87
- attack on King's behalf 87
- chase protagonist and ally 91
- final attempt to kill  
protagonist 92
- creatures killed by  
protagonist 92
- creatures share same  
description
- the same violence throughout

**TLC - Atlantean King**

- through the translucent  
material the King's hand  
twitches 78
- King hatches from frozen  
stasis 82
- creatures show subordination  
to King 87
- King sics creatures on team 87
- King is slain 92

**AVP - Mercenaries - Cannon Fodder**

118. Klaus killed violently 47  
 119. Bass & Stone killed 61  
 120. Rosseau killed 59  
 121. Conner killed 66  
 122. Verheiden killed 79

**AVP - Supervisor & Technician**

123. supervisor and tech  
     receive surprise  
     information from satellite 3  
 124. information concerns  
     underground discovery in  
     Antarctica 3  
 125. they look at computer model  
     13  
 126. computer model rotates 14  
     (in film, not screenplay)  
 127. man made structures 3  
 128. immediately alert superiors 4

**AVP - The Team As A Collective**

129. brought together and  
     introduced 12-17  
 130. taken to Antarctica by ship  
     11  
 131. attend shipboard briefing  
     to discuss strategy /  
     logistics of mission 16  
 132. embarks on mission 22  
 133. goes through tunnel 28  
 134. meets accident in tunnel 37  
 135. arrives at pyramid beneath  
     ice 37-38  
 136. flares and lights illuminate  
     discovery 37  
 137. awed responses to discovery  
     38  
 138. team unpacks gear 37  
 139. team heads into discovery /  
     pyramid 38  
 140. 1<sup>st</sup> set of glyphs examined 39  
 141. glyphs are "hybrid" 41  
 142. found shaft to another  
     "level" 43

**TLC - Soldiers - Cannon Fodder**

Conrad killed violently 54  
 Pitman killed 61  
 Nugent killed 70  
 Harper killed 68  
 Motley killed 87

**TLC - Supervisor & Analyst**

supervisor and analyst  
 receive surprise  
 information from satellite 6  
 information concerns  
 underground discovery in  
 Antarctica 6  
 they look at computer model 6,  
 25  
 computer model rotates 6, 25  
 man made structures 6  
 immediately alert superiors 7

**TLC - The Team As A Collective**

brought together and  
 introduced 33-35  
 taken to Antarctica by ship  
 25  
 attend shipboard briefing  
 to discuss strategy /  
 logistics of mission 26  
 embarks on mission 36  
 goes through tunnel 28  
 meets accident in tunnel 34  
 arrives at pyramid beneath  
 ice 39  
 flares and lights illuminate  
 discovery 39  
 awed responses to discovery  
 40  
 team unpacks gear 42  
 team heads into discovery /  
 pyramid 42  
 1<sup>st</sup> set of glyphs examined 44  
 glyphs are "different" 44  
 found way to another  
 "level" 49



- |  |   |
|--|---|
| 143. discussion re: temperature getting warmer 46        | discussion re: temperature getting warmer 7, 43, 72 |
| 144. armed aspect of team secures area 59                | armed aspect of team secures area 41                |
| 145. team uses radio to find missing mate 58             | team used radio to find missing mate 41             |
| 146. discussion about rewriting history 38               | discussion about rewriting history 40               |
| 147. 2 <sup>nd</sup> set of glyphs examined 41           | 2 <sup>nd</sup> set of glyphs examined 46           |
| 148. debris falls from above 45                          | debris falls from above 43, 63, 69, 87, 92          |
| 149. team discovers 7 relics                             | team discovers 7 relics                             |
| 150. team discovers mysterious                           | team discovers mysterious                           |
| 151. artifact at center of pyramid 50                    | artifact at center of pyramid 72-73                 |
| 152. team triggers artifact 56                           | team triggers artifact 81                           |
| 153. team member yells warning about trigger 56          | team member yells warning about 81                  |
| 154. team experiences first attack 48                    | team experiences first attack 54                    |
| 155. 3 <sup>rd</sup> set of glyphs examined 51-52        | 3 <sup>rd</sup> set of glyphs examined 64-66        |
| 156. team triggers power source 40, 52                   | team triggers power source 50                       |
| 157. team encounters statues 62                          | team encounters statues 46, 59                      |
| 158. team plans camp / rest 55                           | team plans camp / rest 58                           |
| 159. character slaughter section begins 62               | character slaughter section begins 59               |
| 160. unknown to team, creatures are stalking them 62     | unknown to team, creatures are stalking them 59     |
| 161. team members are quietly ambushed 92                | team members are quietly ambushed 53-54             |
| 162. first report of casualties 64                       | first report of casualties 55                       |
| 163. team tries to escape but is blocked 56              | team tries to escape but is blocked 67              |
| 164. team's enforcer dies 70                             | team's enforcer dies 85                             |
| 165. 4 <sup>th</sup> set of glyphs examined 76           | 4 <sup>th</sup> set of glyphs examined 70           |
| 166. team members examining glyphs are frantic 77        | team members examining glyphs are frantic 70        |
| 167. character slaughter section ends with 9 killings 84 | character slaughter section ends with 8 killings 87 |
| 168. creatures race to kill remaining team 89            | creatures race to kill remaining team 87            |
| 169. remaining team continues to fight / flee 94         | remaining team continues to fight / flee 91         |

## Equipment Cross-References

31. Even the various equipment has a mirror image piece of equipment, which performs the same function.

### AVP

- 170. Weyland satellite kicks off adventure
- 171. ship takes team to Antarctica
- 172. thermal digging equipment team through inclined tunnel
- 173. team uses high performance guns
- 174. laser targeting system on guns
- 175. flares
- 176. radios
- 177. Alien eggs incubating threat incubating threat to humanity
- 178. sarcophagus artifact at center of pyramid triggers events
- 179. predator gun artifact events
- 180. predator wrist A-bomb used at end to destroy setting
- 181. bomb is set to a timer

### TLC

- government satellite kicks off adventure
- ship takes team to Antarctica
- mini-sub equipment used to get team through inclined tunnel
- team uses high performance guns
- laser targeting system on guns
- flares
- radios
- Atlantean stasis units incubating threat to humanity
- podium artifact at center of pyramid triggers events
- crystal artifact escalates events
- US suitcase A-bomb used at end to destroy setting
- bomb is set to a timer

## Settings - Characters - Story

32. The settings, characters and story are the same.

- 182. AVP pretitle sequence - "Antarctica 1904" 1-2  
TLC pretitle sequence - "Antarctica 12,500 years ago" 1-4
- 183. AVP superimpose - time shift to "Present day" 2  
TLC superimpose - time shift to "Present day" 4
- 184. AVP satellite in space orbit over Antarctica 2-3  
TLC satellite in space orbit over Antarctica 6<sup>4</sup>
- 185. AVP Weyland Industries - doing satellite reconnaissance 3

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<sup>4</sup>The same use of satellites.



- TLC CIA Headquarters - doing satellite reconnaissance 6<sup>5</sup>
186. AVP superimpose "Weyland Industries-T.D.R.S. Receiving Station" 3  
TLC superimpose "Central Intelligence Agency" 6
187. AVP technician & supervisor in a satellite imaging lab 3-4  
TLC analyst & supervisor in a satellite imaging lab 6-7<sup>6</sup>
188. AVP a 3 dimensional computer model 14-15  
TLC a 3 dimensional computer model 6-7, 25
189. AVP a 3 dimensional computer model is used to demonstrate the discovery 14-15  
TLC a 3 dimensional computer model is used to demonstrate the discovery 6-7, 25
190. AVP the computer model rotates 14-15<sup>7</sup>  
TLC the computer model rotates 6-7, 25
191. AVP a computer shows "a pattern of interlocking square shapes" 3-4, 14-15  
TLC a computer shows "infrared grid like patterns" 7, 25
192. AVP supervisor concludes the computer model shows man-made structures 3-4  
TLC supervisor concludes the computer model shows man-made structures 6
193. AVP leader concludes the computer model shows man-made structures 14-15  
TLC leader concludes the computer model shows man-made structures 25-26
194. AVP supervisor immediately alerts superiors 4  
TLC supervisor immediately alerts superiors 7

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<sup>5</sup>The same type of entities.

<sup>6</sup>The same characters. This scene is barely changed.

<sup>7</sup>The computer model rotates in the film but is not expressly written into the screenplay.

195. AVP Max Stafford appears - tough black guy - working for "Weyland" 6  
 TLC Dave Dillon appears - tough black guy - working for "US Gov." 8<sup>8</sup>
196. AVP Female protagonist Alexa Woods appears<sup>9</sup> (age 34) 4  
 TLC Female protagonist Katherine Graham appears (mid-30's) 4<sup>10</sup>
197. AVP Sebastian at Mexican pyramid ruins solving riddles 6-9  
 TLC Graham at Egyptian pyramid ruins solving riddles 4-5<sup>11</sup>
198. AVP "Ancient maps show Antarctica free of ice" 15  
 TLC "As you can see Antarctica is ice free . . . " 11
199. AVP Stafford pressures female protagonist for mystery mission 4-6  
 TLC Dillon pressures female protagonist for mystery mission 17-18, 20-22
200. AVP protagonist is disinclined to participate in mission 17  
 TLC protagonist is disinclined to participate in mission 17-21
201. AVP protagonist says no "find another guide." 17  
 TLC protagonist says no "Get lost!" 21
202. AVP Stafford entices and threatens female protagonist with funding 5  
 TLC Dillon entices and threatens female protagonist with funding 21
203. AVP Stafford is enforcer type for Weyland (corp.), which obtained the satellite information  
 TLC Dillon is enforcer type for McCardle (US Gov.), which obtained the satellite information

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<sup>8</sup>The same characters.

<sup>9</sup>The actress, who portrayed Alexa Woods in the film was 34 years of age.

<sup>10</sup>The same protagonist characters.

<sup>11</sup>The same events establish the pyramids' relation to the story.



204. AVP female protagonist receives peer pressure 20-21  
 TLC female protagonist receives peer pressure 20-21
205. AVP female protagonist begrudgingly joins mission 21<sup>12</sup>  
 TLC female protagonist begrudgingly joins mission 22
206. AVP female protagonist brought to boss for briefing 9  
 TLC female protagonist brought to boss for briefing 24-27
207. AVP adventure leader is Weyland (corporate) 13  
 TLC adventure leader is McCardle (government) 15<sup>13</sup>
208. AVP Weyland is head of Weyland Industries, which obtained  
 the satellite data  
 TLC McCardle is head of US National Security, which  
 obtained the satellite data
209. AVP female protagonist meets Weyland 15  
 TLC female protagonist meets McCardle 25
210. AVP Weyland addresses the importance of mission personnel  
 being "the best" 16, 19  
 TLC McCardle addresses the importance of mission personnel  
 being "the best" 30
211. AVP Weyland's reason for hurrying to scene is "Others will  
 be here soon." 17  
 TLC McCardle's reason for hurrying to scene is to  
 "investigate national security." 26
212. AVP the term "heat bloom" is used to describe the  
 findings 14, 62, 80  
 TLC the term "heat bloom" is used to describe the findings  
 7
213. AVP scientific/strategic briefing to the participants about  
 the discovery 14-17  
 TLC scientific/strategic briefing to the participants about  
 the discovery 6-7, 11-14

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<sup>12</sup>Both works at 21-22 lead the reader to believe that the protagonist is not going to join the expedition but the next scenes have the protagonist joining the expedition.

<sup>13</sup>These are the same character.

214. AVP includes almost identical specific scientific dialogue about the satellite discovery 14-16  
 TLC includes almost identical specific scientific dialogue about the satellite discovery 7, 25
215. AVP the expedition is brought together and introduced for the first time 12-17  
 TLC the expedition is brought together and introduced for the first time 33-35
216. AVP the expedition is taken to Antarctica via a ship, i.e., an ice breaking ship 11 et seq  
 TLC the expedition is taken to Antarctica via a ship, i.e., a US submarine 32 et seq<sup>14</sup>
217. AVP there is a briefing aboard ship en route to Antarctica 13  
 TLC there is a briefing aboard ship en route to Antarctica 33
218. AVP there is joking as the team meets for its briefing alongside special equipment 12-13  
 TLC there is joking as the team meets for its briefing alongside special equipment 32-35
219. AVP "Ancient maps show Antarctica free of ice." 15  
 TLC "... Antarctica is ice free" 11
220. AVP expedition personnel discuss how to get to the location 16  
 TLC expedition personnel discuss how to get to the location 26
221. AVP tunnel discovery 28  
 TLC tunnel discovery 7
222. AVP thermal digging equipment is to be used to get through ice 12  
 TLC miniature sub is to be used to get through ice 30<sup>15</sup>
223. AVP tunnel described as "drilled at a perfect 30 degree angle" 29  
 TLC tunnel described as "being on an incline" 26

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<sup>14</sup>These are the same equipment.

<sup>15</sup>These are the same equipment.



224. AVP the team leader at the mission kick-off says "Move these Haaglunds out." 22  
 TLC the team leader at the mission kick-off says "De-couple the Sandshark." 36
225. AVP the characters make small talk and bond in vehicles to tunnel 24-27  
 TLC the characters make small talk and bond in vehicles to tunnel 36
226. AVP the team takes an inclined tunnel down to pyramid 33-37  
 TLC the team takes an inclined tunnel up to pyramid 36-38
227. AVP an almost fatal accident occurs during trip through tunnel 34-35  
 TLC an almost fatal accident occurs during trip through tunnel 37
228. AVP the team travels through an inclined tunnel to the main setting, a pyramid beneath the ice of Antarctica 37-38  
 TLC the team travels through inclined tunnel to the main setting, a pyramid beneath the ice of Antarctica 39
229. AVP "The master culture from which all others are derived." 15  
 TLC "Antarctica and Atlantis are the same." 14
230. AVP "a cool blue flare illuminates" . . . "the ice grotto" 37  
 TLC "dim bluish light illuminates the icy ceiling" 39<sup>16</sup>
231. AVP the team uses flares 37  
 TLC the team uses flares 47 *et seq*<sup>17</sup>
232. AVP team has same awed responses to the historical discovery 38  
 TLC team has same awed responses to the historical discovery 40

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<sup>16</sup>Both works have the same setting including place, visuals, coloration, etc.

<sup>17</sup>The equipment is the same.

233. AVP team unpacks gear and prepares to enter tunnel 37  
 TLC team unpacks gear and prepares to enter tunnel 42
234. AVP team reads first set of glyphs to determine origin of the place 39  
 TLC team reads first set of glyphs to determine origin of the place 44
235. AVP "This reading says these stones are at least 10,000 years old." 41  
 TLC "How old is this place?" "at least 12,000 years old" 45, 96
236. AVP the main setting shimmers, is translucent with blue ice crystals 37-38  
 TLC the main setting glistens, is luminescent with bluish light 39
237. AVP "Two thirds of the magnificent structure is fully visible, the rest is buried in the translucent walls of the ice cave." 38  
 TLC "The top twenty percent of it casts a haunting luminescence." 39
238. AVP that the temperature is getting warmer is addressed in dialogue 46  
 TLC that the temperature in the setting is getting warmer is addressed in dialogue 7, 43, 72
239. AVP armed team led by Stafford and mercenaries secures the area with high performance machine guns 59  
 TLC armed team led by Dillon and soldiers secures the area with high performance machine guns 41<sup>18</sup>
240. AVP the team uses radios to communicate during the expedition 58  
 TLC the team uses radios to communicate during the expedition 41<sup>19</sup>

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<sup>18</sup>The equipment and activity are the same.

<sup>19</sup>The equipment is the same.



241. AVP an armed team uses laser targeting to enhance film effect. (This occurs in the film but not in the script.)  
 TLC in screenplay, an armed team uses laser targeting 41<sup>20</sup>
242. AVP discussion about the participants' discovery rewriting human history 38  
 TLC discussion about the participants' discovery rewriting human history 40
243. AVP a second set of glyphs are examined for clues 41  
 TLC a second set of glyphs are examined for clues 46
244. AVP dangerous and surprising debris falls from ceiling 45  
 TLC dangerous and surprising debris falls from ceiling 43, 56, 63, 69, 87, 92
245. AVP the team discovers a mysterious artifact at the heart of the pyramid, a "sarcophagus" 50  
 TLC the team discovers a mysterious artifact at the heart of the pyramid, a "podium" 72-73
246. AVP team member yells warning not to touch trigger 56  
 TLC team member yells warning not to touch trigger 81
247. AVP inside the sarcophagus are guns, which when touched "a hidden trigger . . . is activated" 56  
 TLC inside the podium is a crystal, which when touched "triggered a reaction" 81
248. AVP when the trigger is activated, the crisis escalates 56  
 TLC when the crystal is triggered, the crisis escalates 80
249. AVP the Queen is awakening, "Suddenly, the ice begins to crack!" 41  
 TLC the King is awakening, "Through translucent material, the hand twitches" 78
250. AVP the Queen awakens from stasis in a special chamber 41  
 TLC the King awakens from stasis in a special chamber 81
251. AVP the first attacks feature the creatures against the team 48  
 TLC the first attacks feature the creatures against the team 54

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<sup>20</sup>The equipment is the same.